

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

CD STORES, LLC, *et al.*,

Case No. 14 - 11192 (SCC)

(Jointly Administered)

Debtors.
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**ORDER GRANTING DEBTORS' OBJECTION TO PROOF OF
CLAIM NO. 4-1 FILED BY CITY OF NEW YORK DEPARTMENT OF FINANCE**

Upon the objection, dated August 4, 2014 (ECF Doc. No. 53) (the "**Objection**")¹, filed by CD Stores, LLC and its debtor affiliates (collectively, the "**Debtors**")², the above-captioned debtors and debtors in possession, seeking an order pursuant to section 502 of title 11, United States Code (the "**Bankruptcy Code**") and Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "**Bankruptcy Rules**") disallowing the proof of claim filed by the City of New York Department of Finance ("**Claimant**") designated on the Debtors' claim register as Claim No. 4-1 (the "**Claim**"), and granting the Debtors such further relief as the Court deems proper; and a hearing on the Objection having been held on September 2, 2014 at 10:00 a.m. (the "**Hearing**"), the transcript of which is incorporated herein by reference; and upon the Declaration of John D. Elmer dated August 1, 2014, filed in support of the Objection; and due and proper notice of the Objection and the Hearing having been given to the Claimant and other interested parties as described in the Objection, and it appearing that no further notice need be given; and after due deliberation and sufficient cause appearing for the relief requested in the Objection, it is hereby

¹ Capitalized terms not otherwise defined in this Order have the meanings ascribed to them in the Debtors' Objection.

² The Debtors in the above-captioned cases are: CD Stores, LLC; CD Store 125th, LLC; CD Store Atlantic Terminal, LLC; CD Store Roosevelt Field, LLC; CD Store Pentagon City LLC; CD Store Newport Centre, LLC; CD Store Fox Hills, LLC; and CD Store Lenox Square, LLC

ORDERED, that the Objection is granted and the Claim is disallowed and expunged.

Dated: New York, New York
September 2, 2014

/S/ Shelley C. Chapman
HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE